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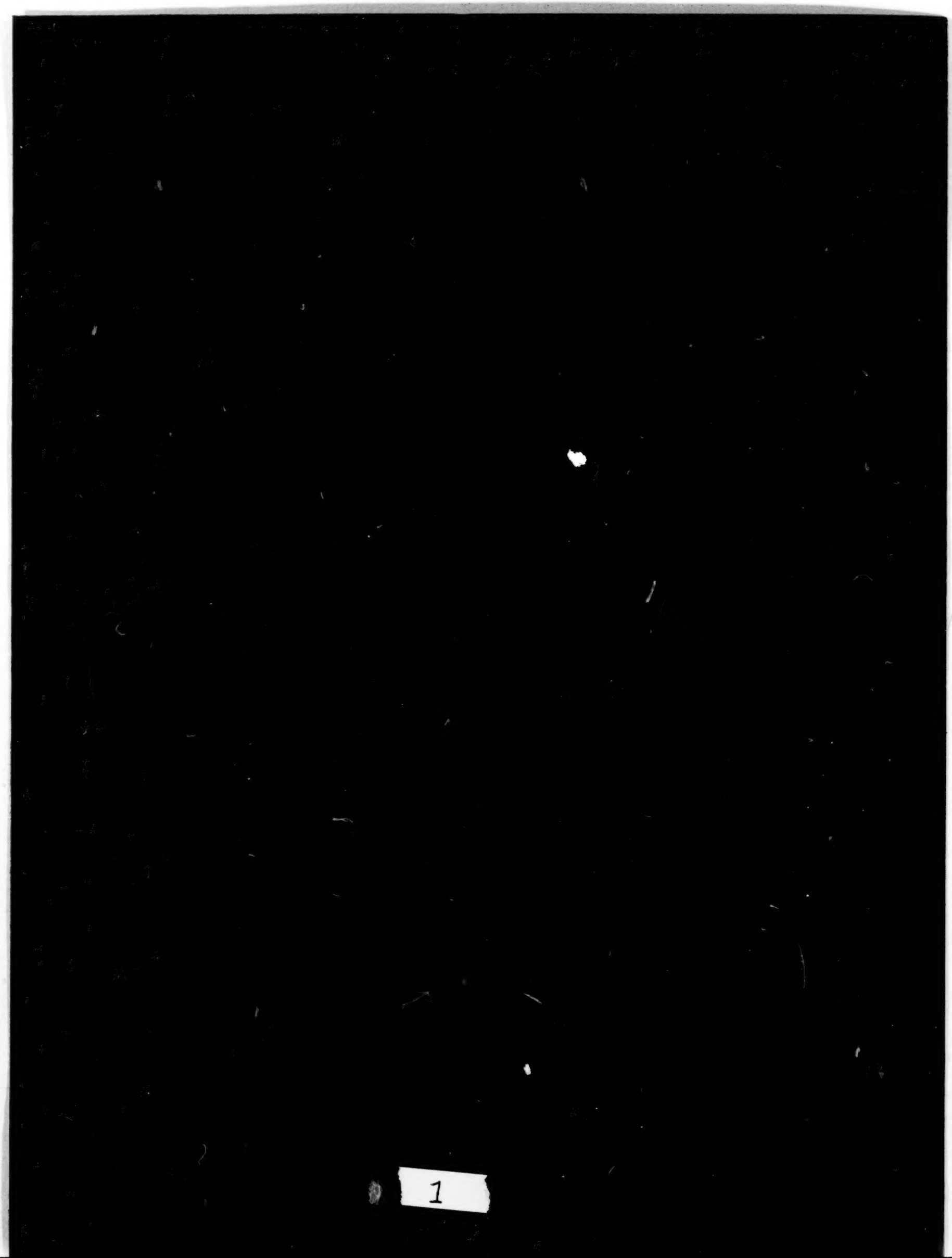
ABSTRACT

This essay attempts to assist the educational administrator with race relations problems. By tracing the legal implications, judicial support for school desegregation is placed in perspective. Potential financial incentives for communities desegregating their school system are then discussed. Illustrations of communities' transportation and school construction programs are offered. A discussion of school desegregation plans or methods that have been used throughout the country concludes the essay. (Author/JW)



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DESEGREGATION STRATEGIES -
THE CLASSROOM AND THE COURTROOM

by

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PREFACE

The role of the educational administrator over the past several years has become extremely complex. The demands being made upon his time and talents by students, teachers and the community at large have placed the administrator, particularly the superintendent of schools, in a position where many have abdicated their executive responsibilities. This phenomenon has resulted in the deterioration of the educational program in school districts throughout the United States. The superintendent and his staff must shape the policies, programs, and services of the school and carry them through to fruition to meet the urgent needs of the community at this crisis period in history.

"Desegregation Strategies-The Classroom and the Courtroom" attempts to assist the educator in the most difficult and pressing issue of our times--race relations and the unification of this nation. By tracing the legal implications of this question, Dr. Sullivan places in perspective the increasing judicial support behind the move to desegregate our schools. More and more, as educators deal with recalcitrant school boards and communities, an understanding of the directions of the legal fraternity become essential.

With this background, Dr. Sullivan then moves into potential financial incentives to aid communities that have embarked on the desegregation and integration process. By pointing to the efforts that certain states have made, illustrations are offered for similar action in the areas of transportation and school construction.

Dr. Sullivan concludes the paper with a series of techniques that he has witnessed in all parts of the country as communities experience desegregation. From "open enrollment" and "redistricting" to "educational parks" and the "Princeton Plan," he offers his suggestions and comments on their effectiveness.

DESEGREGATION STRATEGIES - THE CLASSROOM AND THE COURTROOM

"To every man his chance. To every man, regardless of his birth, his shining golden opportunity. To every man the right to live, to work, to be himself and to become whatever his manhood and vision can combine to make. This, seeker, is the promise of America." With these eloquent, yet remarkably simple words, Thomas Wolfe summarizes for us all the intentions of this nation's founding fathers. Intentions that were to be preserved and were to be the guiding principle under which this nation would function. How successful have we been in implementing what they sought?

Initially, word of the unique quality of this emerging society spread and as it did the frontiers of America became the portals through which millions would pass seeking this promise. Many achieved the goal and prospered, perhaps due in large measure to the efforts of men like Horace Mann. (Mann is considered to be the father of the American public school system, at least the system as we know it today.) It was this component of life in the new world--public education--that provided the greatest equalizing factor for the immigrant. The school gave him the opportunity to acquire knowledge of the dominant culture in the nation and in many cases allowed the classroom environment to be expanded and complemented by the culture of the "new student."

The nation was growing and as it moved forward the pattern of Asiatic and European countries to have only two classes--the haves and have nots--was being changed. A new class was emerging. One that would bridge the extremes and in time would, for millions, provide fulfillment to the American promise. As this middle class grew in numbers, however, it began to lean toward one of the extremes, forgetting from whence it came. This

was undoubtedly due to the materialistic nature of the culture that also emerged.

As the nation periodically passed through economic setbacks coupled with great armed conflicts the agrarian aspect of the society began to diminish and the cities of America swelled. The forgotten extreme found themselves in poverty ghettoes in these new metropolises, and the words of Thomas Wolfe became remote.

A few years ago, the Kerner-Lindsay report on civil disorders laid bare the blight which plagues these cities; the poverty and disease which characterize our slums, and the white racist heritage which would destroy in our time the democratic principles upon which this nation was founded. In a follow-up analysis by the same authors recently, progress was reported as nil. Time passes and nothing happens.

In the interim, Martin Luther King, civil rights hero and spokesman for world peace and Robert Kennedy, spiritual brother, friend and ally of Dr. King, have been slain. Anger continues to bubble close to the surface in ghetto prisions ready to erupt at any provocation, and college campuses across the nation are torn asunder as ethnic minorities and white radicals join hands to batter establishments which seem slow even to show them small regard and a little respect. At high schools and junior highs in urban centers throughout the land, black and white students have demanded, often impolitely and not without violence, a place of honor in the power structure. And so far, little has happened but a counter demand for "law and order" and "moral regeneration."

Even as all of this happens, racial segregation in our schools persists and hardens and the radical separation which brought us to this crisis has been strenously offered by black and white advocates as a cure for what ails

our communities and our schools.

This is the ultimate illogic--that more of the same separation which has brought us to the brink of self-destruction could by some miracle cure us. Surely, there has to be a better way, if humanity is to survive.

It is this necessity to survive that must be foremost in the mind of the educational leader in particular, and no more critical issue does he face than the question of race and education. While some progress has been made in the South in recent years, it remains the shame of this nation that seventeen years after the Supreme Court decision on Brown v. the Topeka, Kansas Board of Education, the overshelming mass of black children still attend predominantly black schools. The large urban centers of the North are rapidly becoming solid inner-city minority racial ghettoes. Public school enrollment in these areas has reflected the population trends around them. The quality of these schools has been allowed to deteriorate and the buildings to fall into disrepair. In too many instances, teachers have fled in favor of service in schools in the outlying areas. The deterioration of the inner-city school has increasingly stimulated the desire of remaining Caucasians to flee the city, and the problem becomes compounded.

The history of educational administrators in this area is one of the weakest links on the road to an integrated society. We have traditionally resisted admitting that a problem even existed. To raise the question of school segregation was "distasteful" to the reputation of city systems, reputations born in the early days of the twentieth century which began dying in the forties and today exist only as a memory like some old soldier. We have refused to accept the racial composition of individual schools as being our problem when it was so convenient to discuss the inequality of

housing and employment.

The scene is changing however. Educators are recognizing that the issue must be faced and the only way that they will be able to professionally survive will be to assume the responsibility that is rightfully their's and lead the way toward the solution of the problem. There are too many legal, academic, psychological and sociological, if not moral reasons why they must.

LEGAL IMPLICATIONS

It is a sad commentary on our nation that the words of Wolfe must be insured by the courts of America. Nevertheless, it is a fact, and for the avowed integrationist an understanding of these judicial findings will prove to be extremely helpful, particularly in dealing with a recalcitrant school board or community. In addition, one must be aware that in many cases it became necessary for the courts, in protecting the rights guaranteed under the First and Fourteenth Amendments of the United States Constitution, to overturn policies established either by law or governmental regulation--what is generally referred to as de jure. The classic example is, of course, the dual school systems maintained in the South, but separation under law existed elsewhere. Indiana, New Mexico and Wyoming, until the mid-forties, had statutes of a "separate but equal" nature. The Federal Housing Administration even later than that insisted on racially restrictive covenants to insure against integrated housing developments. It is, therefore, important for a school administrator not to judge too quickly on a de jure-de facto distinction. In many cases, school segregation that appears to result solely from accidental housing patterns turns out, upon closer examination, to result in large part from decisions by school and other

public officials--local, state and federal.

De Jure Segregation

Although it dealt with a de jure situation, the Supreme Court decision in Brown v. the Board of Education serves as the foundation for much of the progress that has been made in this country on school desegregation. In finding that the Fourteenth Amendment of the Constitution had been violated by the school board of Topeka, Kansas, in that the board legally compelled and sanctioned segregation, the court stated; "Separate educational facilities are inherently unequal..." For many of us, the decision of the court has not been limited to de jure cases only; if schools segregated by law are inherently inferior, then such conditions must also exist in schools segregated by other causes. The origins may differ, but as far as the child is concerned, the effects are the same.

The Brown decision was, of course, a landmark opinion; however, it was not to be the panacea for providing equality in the nation's schools. Brown did not deal with what is meant by a "racially nondiscriminatory school system." In 1958, in Cooper v. Aaron, the court attempted to give clarification to that term by "requiring the end of racial segregation," or "the completion of desegregation." Further clarification of the question of what constitutes a "racially nondiscriminatory school system" was made by the high court in Green v. County School Board of New Kent County, Virginia in 1968. The court explained that "the transition to a unitary, non-racial system of public education was and is the ultimate end to be brought about..." In its finding, the court required the school board to devise a plan "which promises realistically to convert promptly to a system without a 'white' school and a 'Negro' school, but just schools."

The Green case added another important ingredient, in that the court not only sought a desegregation plan that would work, but one that would work now.

The Supreme Court's next step on the road to educational equality for all came in October, 1969 in Alexander v. Holmes County Board of Education. The court asserted that "the obligation of every school district is to terminate dual school systems at once and to operate now and hereafter only unitary schools." The dual school system was finally reaching the end of its insidious existence but now a new question had been raised and the court had chosen to avoid offering its definition of what constitutes a unitary system. An answer did come, however, from the Fourth Circuit Court in a case involving the Charlotte-Mecklenburg School District in North Carolina.

In Swann v. Charlotte-Mecklenburg, District Court Judge McMillan in 1969 did not feel he had the power to order that each school in the district reflect the racial composition of the district as a whole. He did acknowledge that such "would be a great benefit to the community." Following repeated failures of the school board to arrive at an acceptable plan, the Judge, in February, 1970 ordered the board to assign all of its pupils so that as "nearly as practicable the various schools at various levels have about the same proportion of black and white students."

The case was appealed to the Fourth Circuit Court and a majority of the judges, although admitting that a dual system existed, agreed with a Justice Department position that the District Court had exceeded its discretion by ordering a desegregation plan which would have put all the schools in racial balance, thus requiring considerably more busing. The Circuit Court's decision, although strongly dissented to by two of the judges, stated "not

every school in a unitary system need be integrated," but, "school boards must use all reasonable means to integrate the schools in their jurisdiction." The case was appealed to the United States Supreme Court along with a state law that was adopted during the litigation procedures that flatly forbids the assignment of any pupil on account of race or for the purpose of creating a racial balance or ratio in the schools and which prohibits busing for such purposes.

On April 20, 1971, Chief Justice Burger delivered the unanimous opinion of the court.

> The flat prohibition against assignment of students for the purposes of creating a racial balance must inevitably conflict with the duty of school authorities to disestablish dual school systems. As we have held in Swann, the Constitution does not compel any particular degree of racial balance or mixing, but when past and continuing constitutional violations are found, some ratios are likely to be useful starting points in shaping a remedy. An absolute prohibition against use of such a device--even as a starting point--contravenes the implicit command of Green v. County School Board, that all reasonable methods be available to formulate an effective remedy.
>
> We likewise conclude that an absolute prohibition against transportation of students assigned on the basis of race, 'or for the purpose of creating a balance or ratio,' will similarly hamper the ability of local authorities to effectively remedy constitutional violations. As noted in Swann, bus transportation has long been an integral part of all public educational systems, and it is unlikely that a truly effective remedy could be devised without continued reliance upon it.

In the opinion of this author, if Brown in 1954 was the initial "landmark" decision on school desegregation then certainly the court's verdict on Charlotte-Mecklenburg has to be considered of almost equal importance. The language of Justice Burger, despite the de jure environment of the case, must have far reaching implications in the North as well as the South.

De Facto Segregation

In the years between 1963 and 1966 the judicial opinions concerning apparent de facto segregation were inconsistent. Four Circuit Courts of Appeals in cases involving Gary, Indiana; Cincinnati, Ohio; Kansas City, Kansas and Charlotte-Mecklenburg held that when adventitious segregation exists, the Constitution imposes no duty on school officials to correct it. On the other hand, Federal District Court decisions in Hempstead and Manhasset, New York and Springfield, Massachusetts determined that de facto segregation was a violation of the Constitution.

A more consistent pattern began to develop in 1969 when the Circuit Court for the District of Columbia affirmed the District Court's decision in Hobson v. Hansen--a suit arising out of the capital's school system. The court, in finding de facto segregation per se is a violation of the Constitution, relied heavily on the Brown decision that separation whether or not under legal sanction is inherently unequal. The court stated that de facto segregation harms minority children and "that the Constitution requires the court to make a diligent search for a justification for it." In ordering the school board to compensate for its damaging effects, the court could find no adequate justification for the existence of de facto segregation.

Constitutional violations have also been found in several other cases. Federal District judges found this in Pontiac, Michigan and in Pasadena, California where the de facto-de jure distinction became blurred. The court ruled that since schools in Pasadena were racially segregated, and since Brown held that separation was inherently unequal, the school board's adherence to the neighborhood school concept and its policy against cross-town busing were the means by which this constitutional violation was

sustained. This situation, therefore became intentional and thereby created the unconstitutional act.

In another case in which I had the privilege of serving as a witness, Federal District Judge Doyle, in Keyes v. School District No. 1, Denver, Colorado, felt obliged to agree with the Tenth Circuit Court in the Kansas City case in refusing to declare de facto segregation was per se a violation of the Constitution. However, in admitting that the effects of de facto were the same as a de jure when one examined the low achievement and morale of minority group youngsters, Judge Doyle on May 2, 1970 concluded that the school board had violated the equal protection clause of the Fourteenth Amendment by maintaining and operating schools which deprived the recipients of an equal educational opportunity. In order to correct this situation the court determined that the only feasible program which would approach equality would be a system of desegregation complemented by a compensatory education program in an integrated setting.

In still another case in which I served, the Crawford case in Los Angeles, the County Court also eliminated any distinction between de jure and de facto segregation. The court concluded, "that it is practically impossible, in the creation and maintenance of neighborhood schools, and the mandating of attendance thereat, which are in fact segregated, said schools being created and maintained by tax money, to have only de facto segregation."

Despite the absence of a clear and unequivocal decision coming forth from the United States Supreme Court on de facto segregation at this time it appears that recent judicial opinions are laying the basis for this eventual position. The newspaper accounts of the Supreme Court's finding on the "first de facto case," in affirming the position of a lower court in

striking down a New York law that would prohibit either the New York Regents (State Board of Education) or an appointed school board from mandating a desegregation plan, particularly one that involved transportation, is further evidence that we are rapidly moving closer to the day when a school that is racially imbalanced, at least for most of our cities, will exist only in history.

Governmental Incentives

In closing this segment on what has transpired on the judicial and legislative levels of government, I do not wish to leave a strictly negative impression on the roles that states have taken in the desegregation of schools. While it is true that too often in the history of this nation it has been easy to point to acts such as those performed by North Carolina and New York which were mentioned above, we also have examples that are much more positive. I refer to the policy adopted by the California State Board of Education when it declared that "persons or agencies responsible for the establishment of school attendance centers or assignment of pupils thereto shall exert all effort to avoid and eliminate segregation of children on account of race or color." An earlier and perhaps the most comprehensive example occurred in Massachusetts in 1965 with the passage of that state's racial imbalance law. The opening passages of the statute set its tone:

> It is hereby declared to be the policy of the commonwealth to encourage all school committees to adopt as educational objectives the promotion of racial balance and the correction of existing racial imbalance in the public schools. The prevention or elimination of racial imbalance shall be an objective in all decisions involving the drawing or altering of school attendance lines and the selection of new school sites.

The law provides an annual census of all public schools to determine if racial imbalance exists (over 50% non-white). In districts having such schools, the local school committee must prepare and submit to the state

board of education a plan for the elimination of this imbalance. Failure to comply with the law could mean the loss of that community's state aid.

On May 25, 1971 it became necessary to impose this final sanction on the Massachusetts cities of Boston, Springfield and New Bedford when I reported to the state board of education that, in my opinion, the three were not in compliance with the racial imbalance act. If the cities do not agree to accept the recommendations of the state board that will correct the segregation in the schools by the deadlines set, then close to $30 million in general state aid to education will be lost to them for the remainder of 1971. Of special interest to educators in this situation is that the solutions recommended by my office were originally proposed by the administration of two of the local school districts working in conjunction with members of my staff. They had all been turned down by the local school committees despite the fact that the school administrators were convinced that they would solve the problem. Here again, we have a case of a majority of elected public officials not following the advice of the "experts" but instead choosing to abdicate their responsibilities because of apparent public pressure. The next few months should prove interesting as we move between classroom and courtroom.

The 1965 Massachusetts statute also provides a number of incentives to assist local school districts in the desegregation process. Chief among these is a 25% bonus on school construction aid. Normally, a community receives 40% of the cost of new school construction from the state; under this law, that figure rises to 65% when the new site either eliminates or tends to reduce existing racial imbalance. The tangible results of this program are now evident in Boston where a $200 million, 28 school development is underway. Without the additional state-aid this figure would

eventually cause a $40 increase in the city's tax rate.

Other state incentives are in the area of assuming transportation and tuition costs in the movement of children within a community to ease segregation and in a similar fashion from the core city to outlying suburbs. There are currently about 4,000 students involved in these two programs.

On the federal level a prudent use of funds under the Elementary and Secondary Education Act can contribute to school desegregation efforts. In the identification of "magnet schools" that would encourage whites to move into non-white areas, the utilization of Titles I and III of ESEA can certainly aid in program improvement for these schools. The Education Professions Development Act is another source of financial help in the recruitment of minority group members as both teachers and aides for better staff integration throughout the system.

On a more comprehensive basis the Emergency School Aid Act now being deliberated in Congress should be of immense help in the desegregation of schools. As it now stands, having passed the Senate, the bill would authorize $500 million for fiscal 1972 and an additional $1 billion for 1973. The administration proposed legislation had few restrictions on how the funds could be spent prior to its Senate amendments. Now it can be considered a combination of both President Nixon's recommendations and Senator Walter Mondale's views.

Of the total funds earmarked, 68% would be allocated to the states on the basis of the number of minority children enrolled in schools. No state would receive less than $100,000. (The rationale for this escapes me at this time.) In keeping with a much-publicized strategy, the bulk of the funds would be earmarked for the South; however, as the bill moved out of the Senate, California is expected to receive $132.9 million and New York

$87.8 million. The remaining 38% of the funds will be authorized for such special projects as educational television programming and bilingual-bicultural efforts.

Currently, in order for a school district to receive funds under this act it must meet the following major criteria:

1. A comprehensive desegregation plan must have been adopted.
2. The school district must maintain at least one stable and quality-integrated school.

The legislation provides funds for new curricula to support integrated education, better remedial services and more effective guidance programs. It also calls for inservice teacher training sessions and more community participation by allocating funds for activities that will enhance this necessary type of involvement. The Act additionally allows the United States Commissioner of Education to set aside funds for educational parks that would consist of a series of schools being located on a common site within a standard metropolitan area.

ADDITIONAL REASONS FOR GETTING THE JOB DONE

I do not believe it necessary at this point in time to dwell on the myriad of arguments to support the need for school desegregation and the subsequent integration that must occur. The weight of available evidence, compiled in part by men like Meyer Weinberg, gives credence to the hypothesis that students drawn from minority groups or from a lower socioeconomic class, both black and white, achieve more when educated in mixed student bodies than they do when segregated.

Beyond academic improvement is the psychological factor that an individual's self-image, which must be positive if he is to become an effective

citizen, hinges on this success as well as the knowledge that he has been liberated from rejection. The Coleman study places as a priority the need for the student to feel that he has some control over his own destiny. A school segregated and, therefore, symbolizing society's rejection of it, can offer little in the way of inspiring this feeling.

In the past eight years since I left the comfortable and extremely affluent community of Old Westbury, Long Island, to travel to Prince Edward County, Virginia at the request of President Kennedy and reopen the schools for the black children, my life has been immersed in this struggle for equality of educational opportunity. From Virginia to California and now back to New England, I have learned that to succeed one must use every available tool at his disposal. Of prime importance is the first lesson, that to combat the many forces which combine to insure defeat, one must become expert in the arguments for integration. This requires a considerable amount of "homework," for the opponents of integration would give you the impression that they have done their work diligently.

Actually, the position held by the opponents of integration falls under a series of mistaken beliefs--myths if you will. The first states that segregation is not a problem of the educator but rather one of housing patterns and job discrimination. I believe that the findings of the court that I referred to earlier discount this proposition.

The second myth states that busing is inherently wrong when used for desegregation purposes. On the face of it, this is absurd. Busing is a tool that contains qualities of neither goodness nor badness. Approximately 20 million youngsters ride the bus to school each day throughout this nation. In eliminating nearly 100,000 school districts in the U.S. over the past thirty years, we have consolidated only through transportation. The big

yellow bus has become as traditional to modern education as the little red schoolhouse was to another era. There are many surveys and reports that claim it is the safest way to get to school. It is only an "evil" when the vehicle is used to aid in the integration of a school. The racists claim it is too costly (in Berkeley it ran about 1% of the total budget); the ride is too long (in the South between 1965 and 1969 the following occurred: Georgia with its enrollment up 92,000 and the number bused up 14,000 had a decrease of 473,000 miles in its busing program under desegregation; similar results were found in Tennessee and Mississippi).

The third myth deals with the education of Caucasian children being harmed because of desegregation. The experience that we have now had with Berkeley indicates that this need not happen. When desegregation is carefully planned and administered, substantial gains can be made in the achievement of minority youngsters without the predicted dire consequences to Caucasian boys and girls. This type of planning is essential for any type of educational program; without it damage could be done to any student regardless of whether he or she is involved in an integration effort. The shame of our system is that this harm is being perpetrated now on children in too many cases, and without the spotlight that generally follows school desegregation it is being allowed to continue.

The fourth false argument is that Caucasian youngsters will be subjected to increased violence at the hands of minority students. The fact of the matter is that violence is on the increase throughout our nation for a myriad of reasons. One of the main causes that is now quite apparent is that minority youngsters, locked into segregated ghetto schools, are "fed up" with the conditions under which they are expected to become educated and thereby achieve some form of equality. White students are also rebelling in this

cause as was evident in Boston earlier this Spring.

All of us must accept the responsibility for working toward peace within our schools, if not our society per se. However, we should bear in mind that, over the years, the Negro has been on the receiving end of violence, both physical and moral, more often than the white. Much of the Negro's violence is a reaction to traditional white violence, disrespect, and disregard. In the student strike in Boston, despite allegations by some school administrators to the contrary, student after student stated that the cause was not racial conflicts but a protest by both black and white alike over the conditions in the schools.

Myth five claims that school desegregation will be followed by a mass exodus of whites to the suburbs. Whites have been moving out of the central city since the end of the Second World War. One of the reasons often given is that the school system has deteriorated. This phenomenon took place in most cities long before the question of racial isolation became apparent. The plight of the city to operate the many services demanded of it with a diminishing financial base prevented the school system from sustaining the reputation acquired in earlier times and one by one suburban districts passed the city on the ladder of educational excellence. Whites have moved and will continue to move particularly in those areas where no attempt is made to desegregate schools and begin the process of changing attitudes. It is inevitable that as the immigration of blacks into the cities continues and the ghettos expand, whites will continue to move, just as any black given an opportunity will try to escape the ghetto and all the ugliness that such an environment has to breed.

In those areas where some form of desegregation and corresponding

integration has taken place, the picture is much more encouraging. In Berkeley, I experienced numerous warnings that the city which was then over 40% black would be completely non-white once we completed total desegregation. I experience these now in both Boston and Springfield, Massachusetts. The record stands the test. Berkeley's population has grown over the last ten years whereas the segregated cities of the Bay State continue to lose citizens at an alarming rate. They have tried everything else, why don't they give school desegregation a chance; it could just be their last hope in preventing what has happened to Washington, D.C. from occurring in the Commonwealth.

POSSIBLE SOLUTIONS

In the years that I have been offering my efforts to this just cause in all parts of this nation at various levels, I have been able to witness a number of methods, of both a short and long term duration, that have been utilized under the label of school desegregation.

Open Enrollment

Open enrollment is perhaps the most common approach used and one that I have, on occasion, labelled the North's freedom of choice. It offers the student the opportunity to transfer out of the school assigned to his normal residential district to a vacant seat in another school. At its best, it provides for minority to move to majority; i.e., a black in a segregated school to move to a white school, and on rarer occasions, a white to a black school. It is via this system that "magnet schools" function and at these times, open enrollment operates to the advantage of desegregation. Unfortunately, there are numerous aspects of this method that do more harm than good. The prime negative effect of this is that a totally unrestricted

open enrollment allows whites to move out of schools that are becoming more integrated with the immigration of blacks and/or segregated schools, thus creating further isolation. Boston now operates such a program with about one-third of the children moving in what could be referred to as "white flight." It was their failure to correct this by modifying their program in a manner suggested by the state board that caused me to seek a suspension of their funds. Other disadvantages with open enrollment are:

1. The segregation in the sending school remains untouched and the desegregation in the receiving school is token at best.
2. The morale in the sending school can be weakened by having students seek a "better" school.
3. Quite often there is a false feeling of accomplishment with having adopted this method that could become an obstacle to educators addressing themselves to the task of developing a real solution.

Magnet Schools

As suburban school systems drew whites from the core city, so too can improved programs in inner city schools attract whites. As a community's initial step on the road to desegregation, the magnet school offers excellent dividends. Actually, this is a concept that has been in existence for many years. City high schools that have been able to maintain a standard of quality have had little difficulty in attracting whites, regardless of their location. Examples of this type are Boston Technical and the Bronx School of Science. Although both are located in the heart of the ghetto, the demand from whites for admittance is overwhelming.

Magnet schools are generally on the elementary level; the place where integration should begin. If the school cannot be new, it should have had its physical plant thoroughly rehabilitated to make it as attractive and appealing as possible. Since the school is generally located in the black district, there is little question of drawing black youngsters to it. In fact, it may become necessary to restrict black enrollment to a definite district. Whites on the other hand are drawn to the school under the open enrollment policy, but on a voluntary basis.

Initially, the program is quite expensive. However, schools of this type are eligible for considerable federal allocations to help defray the lower teacher-pupil ratio costs, the teacher-aide program and the inservice workshops that are necessary in developing a staff for a truly integrated educational environment.

Reverse Busing

This type of program keeps the schools essentially as they are except that they would be desegregated by transporting students at each grade level from segregated black schools to segregated white schools. This shuttle approach is not without its problems. To be effective it would require the movement of almost half the student body in each building involved. Community acceptance of this type of program is rather doubtful, and, as with all other methods, acceptance is fundamental to its success. An example of a system using extensive busing that has provoked community support is the Princeton Plan.

Partnership Schools

In a community's initial attempt at desegregation, the "Partnership Schools" concept offers some valid contributions. Segregated schools, both black and white, at a point during the school week, merge to share

common learning experiences and therefore become integrated during this period of time. The "open campus" approach recently adopted by the state board in Massachusetts allows this type of scheduling on the secondary level. By breaking down the school walls to expand the learning situation beyond the traditional school grounds, it is possible for individual classes in separate schools to meet at a common site for instructional purposes. An example of this might be in holding Art classes in a museum school, and having a class from a white school join a class from a black school during this period. In Boston, I have recommended that the fine higher educational facilities be used for this program with the faculties on the upper level contributing to the instructional phase of the program.

The problem with this method is similar to the open enrollment system in that it provides a token form of desegregation, and the feeling of accomplishment could eventually inhibit a real desegregation effort.

Princeton Plan

The Princeton Plan calls for abolishing segregation between schools by having all of the students of the two combined attendance areas, attend one of the schools for certain grades, and then all of them go to the other school for other grades. By combining the student bodies from a segregated white school and a segregated black school, you achieve total desegregation. This method was originally implemented in Princeton, New Jersey in the late forties; since that time there have been a number of modifications added to it with the Berkeley experience being the most advanced.

Among the advantages of this system are:

1. It is fair to all concerned--the burden to desegregate falls equally on both white and black.

2. By concentrating fewer grades in one school, greater specialization is offered to meet individual needs.
3. The total community participates.

Redistricting

This is the first method that a community should explore if it is seriously considering the desegregation of its schools. If the size of the black population is not too large, it is possible to alter school district lines to bring about integrated schools. If the population is quite large or concentrated in a large district, this method is generally unacceptable. First, it is difficult in redrawing district lines to avoid overloading one school; secondly, communities are changing at such a rapid pace that district lines would have to be constantly shifted. Third, while it is necessary to move ahead at times despite community opposition, the gains under this approach do not justify the upheaval it creates.

One-Grade School

Within the Princeton Plan, this method can be extremely effective. In Berkeley, we were able to convert three junior high schools, each serving grades 7-9 into two schools of grades 7 and 8, and one school of just grade 9. In Teaneck, New Jersey, it was utilized on the elementary level. The geography of a community and the density of population at each grade level must be considered in moving into this type of format.

Educational Parks

For many of the larger metropolitan centers of this nation, "educational parks" offer the greatest opportunity for the desegregation of schools, and a stabilizing of community life. Although there are numerous definitions

of the park, there are features common to each. They are designed for a relatively large student population, and a large attendance area, as compared to the traditional neighborhood school.

The necessity for this type of urban-suburban collaboration becomes evident when one reflects on the following statistics:

> 66% of white Americans and only 25% of black Americans are classified as being middle class.
>
> 66% of black first graders and 50% of black twelfth graders attend schools that are 90-100% segregated--black.
>
> 80% of white first and twelfth graders attend schools that are 90-100% segregated--white.
>
> Black Americans comprise 11% of the nation's population and 14% of the population of metropolitan areas, but, 80% of the blacks living in metropolitan areas reside in the inner city.

In the words of Dr. Thomas Pettigrew, "United States schools are becoming less, not more heterogeneous in terms of race and social class."

I envision as one of the most promising dreams for breaking down big city ghetto walls and for helping to liberate urban public education and the communities it serves from deeper crisis, the educational park. It can mean the development of educational facilities for whole communities or several communities in a campus-like setting. Its facilities would serve all the children and teachers alike with the best available programs and technology. No school would have special status, because each belongs to the community school complex. In smaller cities, one center could suffice. In larger metropolitan areas, several excellent centers could be established.

The initial cost of this venture is high, and federal assistance through the Emergency School Aid Act will be a necessity. Once the park is created though, its efficient and economic advantages will prove a boon to the taxpayer.

THE ALPHA AND OMEGA

As I have been privileged to move around this country and work with men like Martin King and Bob Kennedy, I find great disappointment in that seventeen years after Brown v. the Board of Education this nation does not have more success stories in school desegregation. The scene is changing; hopefully, there is still time. My experience in Berkeley in particular is proof that it can be done. There, we began with the staff. You need all the sales force you can muster on this question and a committed faculty is essential. We then moved into the community, but never to ask the question--should we integrate; rather, how can we integrate? We never avoided opposition. We met it head on before it could build. We did our "homework" and the challenge became infectious. Our ranks began to swell until the majority of the community "got with it." The simple guide that we followed proved to be our greatest argument: "make it fair to all concerned."

I do not necessarily recommend the Berkeley Plan for all communities. Each must develop its own solution to the problem and must consider the local needs and circumstances. Approaches to the problem vary from place to place, but all communities have one thing in common--they must use some approach. They can no longer avoid the issue.

REFERENCES

Editorial Board of the Harvard Educational Review,
"Equal Educational Opportunity,"
Harvard University Press. (1969)

Gowan, John C. and Demos, George D. Editors,
"The Disadvantaged and The Potential Dropout,"
Charles C. Thomas. (1966)

Green, Robert L. Editor,
"Racial Crisis in American Education,"
Follett Educational Corporation. (1969)

Sullivan, Neil V. with Stewart, Evelyn S.
"Now Is The Time,"
Indiana University Press. (1969)

Sullivan, Neil V. with Wogaman, Thomas D. and Barshay, Ruth.
"Walk, Run or Retreat: The Modern School Administrator,"
Indiana University Press. (1971)

United States Senate,
"Hearings Before the Select Committee on Equal Educational Opportunity,"
Parts 1 through 6, Superintendent of Documents,
United States Government Printing Office. (1970-1971)

Weinberg, Meyer,
"Desegregation Research: An Appraisal,"
Phi Delta Kappa. (1970)